

Information about testing for chemical and microbiological contaminants is attached as Schedule B.<sup>7</sup>

5. *For each of the above items, please specify whether FDA was notified, and if not, why not.*


As noted above, our facilities generally are not subject to FDA inspection regimes. It is our practice to notify the United States Department of Agriculture (USDA) and other regulatory agencies of test results whenever required by law. Moreover, Smithfield Foods maintains an ongoing dialogue with USDA beyond the requirements of the law.

6. *Please supply a list of all instances where FDA or any State regulatory authority was denied entrance to any facility, foreign or domestic, or denied access to any records regarding microbiological or chemical testing performed on products processed at the facility. This request encompasses denials of initial requests for entry or any such testing record regardless of whether the plant or its records were to be made available for inspection at a later date.*

USDA inspectors are on site at the Company's domestic processing plants. Moreover, it is our practice to cooperate fully with USDA inspectors as part of the operational process. We are not aware of any instance in which a representative of a federal or state regulatory agency with authority to inspect our facilities or records was denied access to a domestic or foreign facility or its records.

Please contact Dennis Treacy at 757-365-3010 if you have any questions about the Company's response.

Sincerely yours,



C. Larry Pope

Enclosures (2)

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<sup>7</sup> Consistent with applicable law, our independent operating companies test imported products on a case by case basis for microbiological and chemical contaminants.